



# Guidance after an injury

No one chooses to have their life turned upside down by injury, but if you have suffered injury or illness as a result of someone else's negligence you may be able to claim compensation and get help with rehabilitation to aid your recovery.

This booklet answers some common questions and explains the benefits of getting advice from an APIL accredited lawyer.

**Q. Do I have a claim?**

A. You may have a claim if your injury or illness was caused or contributed to by someone else's negligence.

**Q. What is negligence?**

A. In short, what defines negligence is whether you do something which you can reasonably foresee will injure someone else who is likely to be affected by your actions, or your lack of action.

**Q. How much compensation will I receive?**

A. The amount of compensation depends on the extent of your injury or illness and how this affects your ability to live a normal life. You can find out more about this in APIL's information booklet "Compensation Explained" which you can view at [www.apil.org.uk/compensation](http://www.apil.org.uk/compensation).

**Q. Will my case go to court?**

A. Most cases are resolved without the need to go to court. A case may go to court if the defendant denies responsibility for your injury, if there is a dispute over the law relating to your claim or if the amount of compensation you should receive cannot be agreed.



### **Q. How much will it cost?**

A. Costs depend on a number of factors, including things such as the merits of your claim, whether the defendant accepts responsibility and whether court proceedings become necessary.

However, it won't usually cost you anything to have an initial consultation with an APIL accredited lawyer to find out whether you have a claim, the costs involved in pursuing it and how those costs will be met should you choose to pursue the claim.

### **Q. What is a conditional fee agreement?**

A conditional fee agreement means that your solicitor will receive no fees if you lose your case. You may, however, have to pay the legal fees and expenses of the other side. Your solicitor will normally ask you to take out insurance to cover this situation. If you win your case, your solicitor's fees and expenses will normally be paid by the other side.

## **About The Association of Personal Injury Lawyers (APIL)**

The Association of Personal Injury Lawyers (APIL) was established in 1990, by a group of lawyers working on behalf of injured people. It is an independent, not-for-profit organisation, campaigning for better laws, dedicated to maintaining and improving the services provided to injured people, and protecting and enhancing access to justice. APIL fulfils an important role in promoting standards in personal injury legal services.

### **Q. What is APIL accreditation?**

A. APIL accreditation shows that a lawyer has achieved a high standard of specialist expertise and competence. An APIL accredited lawyer undertakes ongoing training so they are always up-to-date with the latest developments in personal injury law. Each lawyer's training log is rigorously vetted by APIL to ensure that it meets APIL's accreditation standards.

There are a number of levels of APIL accreditation:

A **Litigator** works under supervision, may take cases to the point of negotiated settlement, but beyond the stage of issue of proceedings is likely to be subject to close guidance from a Senior Litigator.



**Senior Litigator** – usually five or more years' experience, running their own personal injury caseload, and competent to lead and supervise the work of other PI lawyers.



**Fellow** – previously an APIL Senior Litigator, usually with over ten years' experience, with a high level of technical expertise in personal injury law, including trial procedure, and who is recognised by their peers as being in a position of professional and intellectual leadership.



**Senior Fellow** – previously an APIL Fellow who can demonstrate outstanding contributions and accomplishments in personal injury law.

APIL accredited lawyers may also go on to specialise in a particular area of personal injury law. APIL Specialist Accreditation provides quality marks demonstrating competence and specialist expertise for solicitors who have provided evidence of their skills in running cases in particular types of claim.

Specialist Accreditation shows that an APIL accredited specialist lawyer has achieved a very high standard of expertise and competence and actually specialises in this area of the law.

### Look out for the logos!



## Q. Why choose an APIL accredited lawyer?

A. As well as the peace of mind that comes from knowing that the lawyer has satisfied our rigorous quality standards, all APIL accredited lawyers sign up to our Consumer Charter. This means that APIL accredited lawyers:

- will put your best interests first
- will provide clear, impartial, honest advice about your case
- will tell you if you will have to pay anything to pursue your case and, if so, how much
- will charge you a fair price, with no hidden costs
- will explain your legal position in plain language
- will keep you updated about all aspects of your case
- will consider other appropriate remedies as well as financial ones
- will not cold call
- will only publish advertisements which are accurate and truthful.

APIL members also adhere to a separate Code of Conduct supporting APIL's objectives - [www.apil.org.uk/code-of-conduct](http://www.apil.org.uk/code-of-conduct).

**Rest assured** - your APIL accredited lawyer will put your interests first.





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